

RECORD OF PROCEEDINGS

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order by Mayor Thomas P. Hanafan, on Monday, May 10, 2010 at 7:00 p.m.
ATTENDANCE	Council Members present: Scott Belt, Lynne Branigan, Melissa Head, Matt Schultz and Matt Walsh. Staff present: Richard Wade, City Attorney and Marcia Worden, City Clerk.
CONSENT AGENDA	Belt and Branigan moved and seconded the approval of the consent agenda. Unanimous.
MAYOR'S PROCLAMATIONS	<p>Mayor Hanafan declared May 16 – 22, 2010 as Public Works Week, sharing the Public Works staff had one of the toughest winters on record and congratulated them for all their hard work. Hanafan added the sewer treatment facility runs 24 hours a day 7 days a week. The work of 27 miles of combined storm and sanitary sewers has been completed, it took fifteen years at a cost of \$80 million of tax payer's money and the City is in compliance with State and Federal standards.</p> <p>Mayor Hanafan declared May 2010 as National Preservation Month, Beth Lindquist, Union Pacific Museum Director, accepted the proclamation, a presentation will be held Friday afternoon south of City Hall at Pearl and South Main. Hanafan added the Park/Glen Historic District has been put into the National Register of Historic Places. Hanafan thanked the volunteers who worked in our community to pursue the National Register Listing, and also thanked the following entities, Council Bluffs Historic Alliance, Community Development Department and the City Historic Preservation. Hanafan noted partial funding came from the Iowa West Foundation.</p>
PUBLIC HEARINGS Resolution 10-144	Held Public Hearing, vacating and disposing of that part of South First Street extending north 100' from the north right-of-way line of Comanche Street adjacent to Lot 14, Wilcox Glassview Addition. Walsh and Schultz moved and seconded approval. Unanimous.
Resolution 10-145	Held Public Hearing, amending the current budget for the fiscal year ending June 30, 2010 and directing the Finance Director to file the amended budget with the appropriate authorities. Branigan and Belt moved and seconded approval. Walsh noted the amendment is for clean-up work done every year which includes money transfers and non-profit gifts made to the City. Unanimous.
Resolution 10-146	Held Public Hearing, approving the Plans, Specifications, Form of Contract and Cost Estimate for the 31 st Street Improvements – Phase IV Project. Belt and Head moved and seconded approval. Unanimous.
Resolution 10-147	Held Public Hearing, approving the Plans, Specifications and Form of Contract for the City Hall Window Replacement Project. Belt and Branigan moved and seconded approval. Unanimous.
Ordinance 6081	Held Public Hearing, amending Chapter 15.05 "A-2/Parks, Estates and Agricultural District, by amending Section 15.05.020 "Principal uses". Walsh and Schultz moved and seconded approval. Unanimous.
Ordinance 6079	Held Public Hearing, amending the zoning map as adopted by reference in Section 15.02.040, by changing the district designation of a 9.62 acre parcel of land, previously known as 14211 Valley View Drive, located east of Valley View Drive and northeast of Harry Langdon Boulevard/Wabash Avenue, from R-1/Single Family Residential to R-1/Single Family Residential Estates, as set forth and defined in Chapters 15.08B and 15.08A. Belt and Head moved and seconded approval. Unanimous.

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Ordinance 6080	Held Public Hearing, amending the zoning map, as adopted by reference in Section 15.02.040, by changing the district designation of the former Kim Gym at 510 Bluff Street, from R-1/Single Family Residential District to A-P/Administrative Professional District, as set forth and defined in Chapters 15.08B and 15.13. Heard from Julie Stavneak and Jim Royer, 142 West Broadway, developers of the project, stating they were excited about the renovation project. Walsh thanked the developers for the presentation during Study Session; Belt added questions were answered at the afternoon Study Session regarding the project. Branigan and Belt moved and seconded approval. Unanimous.
ORDINANCE ON FIRST READING Ordinance 6082	Belt and Branigan moved and seconded approval, amending Chapter 3.62 "Transient Merchants" by amending Section 3.62.100 "Prohibited acts", to prohibit solicitations at residences where owners have posted signs. Schultz mentioned his concern about how this Ordinance would apply to groups such as the Boy/Girl Scouts. The way the ordinance reads it applies equally across the board, Schultz wouldn't like to see a Girl Scout get fined for selling cookies to an individual where a solicitation sign was posted. Schultz indicated his opposition to the Ordinance as written but would be in favor of a revision. 4 Ayes; 1 Nay (Schultz).
ORDINANCE ON SECOND READING Ordinance 6077	Belt and Head moved and seconded approval, amending Chapter 3.44 "Pawnbrokers" by repealing Section 3.44.080 "Recording absolute purchases — holding period for inspection", and enacting a new Section 3.44.080, to be entitled "Recording absolute purchases and pledged items — holding period for inspection". Unanimous. Schultz and Branigan moved and seconded, waiving 3 rd consideration. Unanimous. Ordinance 6077 passes into law.
Ordinance 6078	Belt and Branigan moved and seconded approval, amending Title 5 entitled "Sewers" by amending in part Chapter 5.10, Section 5.10.040 entitled "Specific Pollutant Limitations". Unanimous. Branigan and Belt moved and seconded, waiving 3 rd consideration. Unanimous. Ordinance 6078 passes into law.
ORDINANCE ON THIRD READING Ordinance 6071	Walsh and Head moved and seconded approval, amending Title 13 entitled "Building and Construction" by amending Chapter 13.13 to be codified and entitled "License/Registration of the Utility Trade". Unanimous. Ordinance 6071 passes into law.
RESOLUTIONS Resolution 10-149	Belt and Head moved and seconded approval, the City Council of the City of Council Bluffs, authorizing an application to the Iowa Department of Economic Development (IDED) for the certification and designation of Enterprise Zone 7 (EZ-7). Unanimous.
Resolution 10-148	Belt and Branigan moved and seconded approval, the City Council of the City of Council Bluffs, authorizing a joint application to the Iowa Department of Economic Development (IDED) by the Council Bluffs Enterprise Zone Commission and 32 Dillman Drive Limited Liability Company for Enterprise Zone benefits. Unanimous.
Resolution 10-150	Branigan and Head moved and seconded approval, adopting the Funding and Property Maintenance Agreement between the City and the Historic General Dodge House, Inc. Unanimous.
Resolution 10-151	Belt and Branigan moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement with Avas Construction Company Inc., for the 28 th Avenue Reconstruction Project – Phase II. Unanimous.
Resolution 10-152	Belt and Walsh moved and seconded approval, abolishing the positions of Account Clerk II and Division Secretary and creating the positions of Operations Administrative Specialist and Clerk Typist within the Operations Division of the Public Works Department effective June 12, 2010. Mayor Hanafan indicated the effective date of June 12, 2010 was due to a retirement. Unanimous.

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Resolution 10-153 Belt and Branigan moved and seconded approval, authorizing the Mayor and City Clerk to execute an agreement and award bid to Iowa Electric Service for the Parks Lighting Project. Unanimous.

Resolution 10-154 Belt and Branigan moved and seconded approval, authorizing and setting the annual assessment for the Sieck Levee Drainage District. Unanimous.

Resolution 10-155 Walsh and Belt moved and seconded approval, authorizing and setting the annual
Resolution 10-156 assessment for the West Lewis and Mosquito Creek Levee Drainage Districts. Unanimous.

Resolution 10-157 Belt and Head moved and seconded approval, authorizing staffing level changes in the Parks, Recreation and Public Property Department. Unanimous.

Resolution 10-158 Branigan and Head moved and seconded approval, designating Council Bluffs, Iowa, Friends of the Parks Foundation as the entity in the City's fund raising efforts for the River's Edge Park and directing the Finance Director to establish an account for the exclusive purpose of assisting with the funding of the River's Edge Park Project. Unanimous.

RECEIVE & FILE ITEMS

Belt and Walsh moved and seconded approval of Receive and File Items regarding Items 10A – 10C. 10A. Notice of Claim (1); 10B. Offer to Buy (1); 10C. Notices of Right of Redemption (5); Unanimous.

APPLICATIONS FOR PERMITS & CANCELLATIONS

Walsh and Belt moved and seconded approval of Renewal Applications for Beer/Wine/Liquor & Outdoor Permits regarding Items 11A1. I-80 Liquor, 2411 South 24th Street, 11A2. Sugar's Lounge, 2725 East Kanesville Boulevard; 11B1. Special Event Permit: Carnival for the Thomas Thomas Show, May 13, 14, & 15, 2010 (Celebrate CB!). Unanimous.

Heard from Jennifer Giles, 140 Grant Street, #4, concerned citizen.

Council Member Belt encouraged everyone to get involved with Clean Sweep and to participate in Celebrate CB! activities. Council Member Branigan encouraged citizens to clean your neighborhoods if you can't make it to Bayliss Park; Council Member's will be cooking hot dogs at the conclusion of Clean Sweep. The carnival starts Thursday; the Pancake Man will be serving pancakes Saturday morning in Bayliss Park followed by the parade at 10:30 a.m. Council Member Schultz also encouraged citizens to get involved with the week-long community activities.

Schultz gave notice he was in support of the projects regarding Items 9A & 9B because the funding mechanism was separate from IJOBS.

Schultz recognized it was his 9th wedding anniversary, Schultz' wife was in attendance of the City Council meeting with Boy Scout Troup 660.

ADJOURNMENT

Branigan and Head moved and seconded adjournment at 7:25 p.m.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

Marcia L. Worden, City Clerk